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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF WASHINGTON

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 17, 2018

SEAN F. McAVOY, CLERK

6 ANTONIO PAUL LOUIS A.,

7  
8 Plaintiff,

9 v.

10 COMMISSIONER OF SOCIAL  
11 SECURITY,

12 Defendant.  
13  
14

No. 4:18-CV-5016-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

15 **BEFORE THE COURT** is the parties' stipulated motion to remand the  
16 above-captioned matter to the Commissioner for additional administrative  
17 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20.  
18 Attorney David L. Lybbert represents Plaintiff; Special Assistant United States  
19 Attorney Michael Sinclair Howard represents Defendant. The parties have  
20 consented to proceed before a magistrate judge. ECF No. 6. After considering the  
21 file and proposed order, **IT IS ORDERED:**

22 1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is  
23 **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the  
24 Commissioner of Social Security for further administrative proceedings pursuant to  
25 sentence four of 42 U.S.C. § 405(g).

26 On remand, the administrative law judge (ALJ) will hold a *de novo* hearing  
27 and issue a new decision. The ALJ shall: (1) consider the post-hearing evidence  
28 from treating source Dr. Timothy Walker; (2) further consider the opinion of Dr.

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 Walker pursuant to 20 C.F.R. § 404.1527; (3) further evaluate Plaintiff's residual  
2 functional capacity; and (4) obtain supplemental vocational expert testimony. The  
3 ALJ may take any other actions necessary to develop the record, and Plaintiff may  
4 present additional testimony and submit additional evidence.

5 2. **Judgment shall be entered for PLAINTIFF** in accordance with FED.  
6 R. Civ. P. 58.

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is  
8 **STRICKEN AS MOOT**.

9 4. An application for attorney fees may be filed by separate motion.  
10 The District Court Executive is directed to enter this Order, forward copies  
11 to counsel, and **CLOSE THE FILE**.

12 DATED September 17, 2018.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE